

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1, 4, 6 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by La Greca (5,241,919). Applicant traverses the rejection for the following reasons.

It is submitted that La Greca neither discloses nor suggests all of the features of independent claims 1, 6 and 7. Applicant will discuss the reasons for each independent claim.

With respect to claim 1, Applicant, first of all, submits that La Greca fails to disclose or suggest the embroidery portion embroidered non-woven fabric and soft material in stitching yarns along a desired figure and the edge portion sewn along the circumference line of said embroidery portion, as recited in claim 1, as amended. Applicant submits that La Greca discloses chenille material having a fabric base and a plurality of cut or looped threads and being cut edges forming an outline of a first design and a flexible backing material affixed to a lower surface of said chenille material and a film layer disposed between said stitching and said upper surface of chenille material. Applicant submits that the chenille material and the flexible material and the film layer of La Greca are clearly distinct from the embroidery portion and the edge

portion of the claimed invention.

Secondly, it is obvious that La Greca fails to disclose or suggest the embroidered patch is completed by detaching the rest of non-woven fabric and soft material, which is not embroidered, except said embroidery portion with the edge portion, as recited in claim 1, as amended. Applicant submits that La Greca discloses only the film layer is removed from the uncompressed, unstitched areas of the chenille material to expose the appliquéd design as shown in Figs. 5 and 6.

For all of the reasons above, claim 1 and its dependent claim 4 is not anticipated by La Greca under 35 U.S.C. § 102(b).

With respect to claim 6, Applicant, first of all, submits that La Greca fails to disclose or suggest a method of embroidering said non-woven fabric and soft material in stitching yarns along a desired figure and sewing along the circumference edge line of said embroidered non-woven fabric and soft material , as recited in claim 6, as amended. Applicant submits that La Greca discloses a method of cutting chenille material having a flexible backing material forming an outline of a first design and overlaying a film on said upper surface of said chenille material and stitching a second design over said film to said chenille material and backing material.

Secondly, it is obvious that La Greca fails to disclose or suggest a method of detaching the rest of non-

woven fabric and soft material, which is not embroidered, except said embroidered non-woven fabric and soft material with said sewn circumference edge line, as recited in claim 6, as amended. Applicant submits that La Greca discloses a method of removing said film from unstitched portions of said upper surface of said chenille material whereby said appliquéd article is formed by said stitched and unstitched portion of said chenille material.

With respect to claim 7, Applicant, first of all, submits that La Greca fails to disclose or suggest the embroidery portion embroidered said non-woven fabric in stitching yarns along a desired figure, and the edge portion sewn along the circumference line of said embroidery portion, as recited in claim 7, as amended. Applicant submits that La Greca discloses chenille material having a fabric base and a plurality of cut or looped threads and being cut edges forming an outline of a first design and a flexible backing material affixed to a lower surface of said chenille material and a film layer disposed between said stitching and said upper surface of chenille material.

Secondly, it is obvious that La Greca fails to disclose or suggest the embroidered patch is completed by detaching the rest of non-woven fabric except said embroidered portion with the edge portion, as recited in claim 7, as amended. Applicant submits that La Greca discloses only the film layer is removed from the uncompressed, unstitched areas of the chenille material to

expose the appliqu  design as shown in Figs. 5 and 6.

Claims 1,2,4 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lin et al.(5,832,854). Applicant traverses the rejection for the following reasons.

It is submitted that Lin et al. neither discloses nor suggests all of the features of independent claims 1 and 7. Applicant will discuss the reasons for each independent claim.

With respect to claim 1, Applicant, first of all, submits that Lin et al. fails to disclose or suggest the embroidery portion embroidered non-woven fabric and soft material in stitching yarns along a desired figure and the edge portion sewn along the circumference line of said embroidery portion, as recited in claim 1, as amended. Applicant submits that Lin et al. discloses wrapping up said embroidering background element and an embroidering portion of said filler, as specifically disclosed in column 5, line 19 and 20. Applicant submits that the embroidering background element and an embroidering portion of filler of Lin et al. is clearly distinct from the embroidery portion and the edge portion of the claimed invention.

Secondly, it is obvious that Lin et al. fails to disclose or suggest the embroidered patch is completed by detaching the rest of non-woven fabric and soft material, which is not embroidered, except said embroidery portion with the edge portion, as recited in claim 1, as amended. Applicant submits that Lin et al. discloses removing said

leftover portion of said filler, as specifically disclosed in column 5, line 30. Applicant submits that removing leftover portion of filler of Lin et al. is clearly distinct from detaching the rest of non-woven fabric and soft material, which is not embroidered, of the claimed invention.

For all of the reasons above, claim 1 and its dependent claims 2 and 4 are not anticipated by Lin et al. under 35 U.S.C. § 102(b).

With respect to claim 7, Applicant, first of all, submits that Lin et al. fails to disclose or suggest the embroidery portion embroidered non-woven fabric in stitching yarns along a desired figure and the edge portion sewn along the circumference line of said embroidery portion, as recited in claim 7, as amended. Applicant submits that Lin et al. discloses wrapping up said embroidering background element and an embroidering portion of said filler, as specifically disclosed in column 5, line 19 and 20. Applicant submits that the embroidering background element and an embroidering portion of filler of Lin et al. is clearly distinct from the embroidery portion and the edge portion of the claimed invention.

Secondly, it is obvious that Lin et al. fails to disclose or suggest the embroidered patch is completed by detaching the rest of non-woven fabric, which is not embroidered, except said embroidery portion with the edge portion, as recited in claim 7, as amended. Applicant

submits that Lin et al. discloses removing said leftover portion of said filler, as specifically disclosed in column 5, line 30. Applicant submits that removing leftover portion of filler of Lin et al. is clearly distinct from detaching the rest of non-woven fabric, which is not embroidered, of the claimed invention.

Claims 1, 2, 4, 6 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sloot (6,178,680). Applicant traverses the rejection for the following reasons.

It is submitted that Sloot neither discloses nor suggests all of the features of independent claims 1, 6 and 7. Applicant will discuss the reasons for each independent claim.

With respect to claim 1, Applicant, first of all, submits that Sloot fails to disclose or suggest the embroidery portion embroidered non-woven fabric and soft material in stitching yarns along a desired figure and the edge portion sewn along the circumference line of said embroidery portion, as recited in claim 1, as amended. Applicant submits that Sloot discloses a fabric material 92 such a twill fabric is placed in an embroidery machine, not shown and the pattern 93 can be embroidered individually to the fabric or multiples and a backing vinyl sheet having an adhesive layer 24, as specifically disclosed in column 5, lines 52, 53, 54, 57 and 58. Applicant submits that a fabric material, the pattern and a backing vinyl sheet of Sloot are clearly distinct from the embroidery portion and

the edge portion of the claimed invention.

Secondly, it is obvious that Sloot fails to disclose or suggest the embroidered patch is completed by detaching the rest of non-woven fabric and soft material, which is not embroidered, except said embroidery portion with the edge portion, as recited in claim 1, as amended. Applicant submits that Sloot discloses die cut into a final desired shape, which can be oval, a circle, square or other.

For all of the reasons above, claim 1 and its dependent claims 2 and 4 are not anticipated by Sloot under 35 U.S.C. § 102(b).

With respect to claim 6, Applicant, first of all, submits that Sloot fails to disclose or suggest a method of embroidering said non-woven fabric and soft material in stitching yarns along a desired figure and sewing along the circumference edge line of said embroidered non-woven fabric and soft material, as recited in claim 6, as amended. Applicant submits that Sloot discloses a method of placing a fabric material such a twill fabric in an embroidery machine and embroidering the pattern individually to the fabric or multiples, as specifically disclosed in column 5, lines 52, 53 and 54.

Secondly, it is obvious that Sloot fails to disclose or suggest a method of detaching the rest of non-woven fabric and soft material, which is not embroidered, except said embroidery portion with the edge portion, as recited in claim 6, as amended. Applicant submits that Sloot

discloses a method of cutting a final desired shape with a die, which can be oval, a circle, square or other, as specifically disclosed in column 5, lines 56 and 57.

With respect to claim 7, Applicant, first of all, submits that Sloot fails to disclose or suggest the embroidery portion embroidered non-woven fabric in stitching yarns along a desired figure and the edge portion sewn along the circumference line of said embroidery portion, as recited in claim 7, as amended. Applicant submits that Sloot discloses a fabric material 92 such a twill fabric is placed in an embroidery machine, not shown and the pattern 93 can be embroidered individually to the fabric or multiples and a backing vinyl sheet having an adhesive layer 24, as specifically disclosed in column 5, lines 52, 53, 54, 57 and 58.

Secondly, it is obvious that Sloot fails to disclose or suggest the embroidered patch is completed by detaching the rest of non-woven fabric, which is not embroidered, except said embroidery portion with the edge portion, as recited in claim 7, as amended. Applicant submits that Sloot discloses die cut into a final desired shape, which can be oval, a circle, square or other.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over La Greca. Applicant traverses the rejection or the following reasons.

As set forth above, La Greca neither discloses nor suggests all of the features of independent claims 1, 6 and

7. Accordingly, claim 5, which is dependent on claim 1, is patentable for the reasons discussed above with respect to claims 1, 6 and 7, as well as on their own merits.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sloot. Applicant traverses the rejection for the following reasons.

As set forth above, Sloot neither discloses nor suggests most of the features of claims 1, 6 and 7. Claim 3 is dependent on Claim 1. Accordingly, claim 3 is patentable for the reasons discussed above with respect to claims 1, 6 and 7, as well as on their own merits.

All objections and rejections having been addressed, it is respectfully submitted that claim 1-7 are now in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,

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